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MAY 21 2002

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In re the Application of

Magdalena Blaszczyk-Thurin et al

Appln. No.: 09/831,047

Filed: May 3, 2001

For: COMPOSITIONS AND METHODS FOR  
TREATMENT OF CANCER

) Group Art Unit:

)

) Examiner:

)

)

)

)

)

) October 24, 2001

)

Assistant Commissioner for Patents  
Washington, DC 20231

Attn: Application Division

Sir:

This is in timely response to the Notification of Defective Response; the Notice being dated October 15, 2001.

The above-identified patent application was filed on May 3, 2001 with a computer-readable diskette and paper copy of the sequence listing. Copies of Applicants' transmittal letter and return receipt postcard are attached as Exhibit A.

A Notification of Missing Requirements dated June 15, 2001 was received by the undersigned on June 18, 2001 (herewith submitted as Exhibit B).

CERTIFICATE UNDER 37 CFR §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: the Assistant Commissioner for Patents, Washington, DC 20231 on October 24, 2001.

Signature

Typed or printed name Debra N. Gerstemeier

No Sequence Listing Error Report was received with this Notice. The undersigned attorney confirmed with Examiner Shelby Vigil during a telephone conference that only the diskette was missing from the materials filed with the application on May 3, 2001. Therefore, the undersigned attorney simply re-submitted a substitute computer readable diskette containing the sequence listing in a response to same on July 25, 2001 that was received by the U. S. Patent and Trademark Office Mailroom on July 30, 2001 (herewith submitted as Exhibit C).

In a telephonic status inquiry to the U. S. Patent and Trademark Office on August 14, 2001 Applicants and the undersigned attorney were advised that their response of July 30, 2001 was not received and made of record. Thus, the undersigned attorney once again re-submitted their response of July 30, 2001 on August 14, 2001 by the U. S. Express Mail Service to the U. S. Patent and Trademark Office as evidenced by the attached Exhibit D.

Applicants and the undersigned attorney subsequently received yet another Notification of Missing Requirements dated August 31, 2001 (herewith submitted as Exhibit E). This Notice contained a Sequence Listing Error Report. Applicants and the undersigned attorney corrected the reference to Xaa in the Sequence Listing and filed yet another response including a substitute Sequence Listing in computer readable form as well as a substitute paper copy of same. This Response was filed by the U. S. Express Mail Service to the U. S. Patent and Trademark Office on October 16, 2001 as evidenced by the attached Exhibit F.

Applicants have subsequently received a new Notification of Defective Response dated October 15, 2001 (herewith attached as Exhibit G) previously mentioned above and which has simply crossed in the mail with Applicants latest Response.

Applicants and the undersigned attorney respectfully request that the above Response filed on October 16, 2001 be entered and made of record as it is believed that this Response is in full compliance with the latest Notification of October 15, 2001. Applicants and the undersigned attorney also would like to bring to the attention of Examiner Shelby Vigil the U. S. Patent and Trademark Office error in the

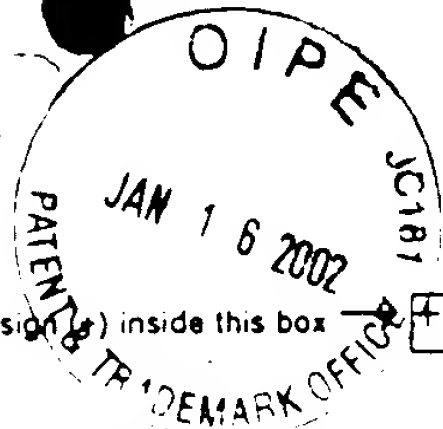
filing date information indicated as June 30, 2001 on the computer-readable printout received with the Notification dated October 15, 2001. The above-identified patent application was filed on May 3, 2001 as evidenced by the attached Exhibit A. The Response filed October 16, 2001 and the computer readable diskette and paper copy of the Sequence Listing correctly identify the May 3, 2001 filing date.

The Examiner is respectfully invited to contact the undersigned attorney to discuss any further requirements necessary to complete the initial filing of the above-identified patent application.

Respectfully submitted,

HOWSON AND HOWSON  
Attorneys for the Applicants

By \_\_\_\_\_  
Mary E. Bak  
Registration No. 31,215  
Spring House Corporate Center  
Box 457  
Spring House, PA 19477  
Telephone: (215) 540-9206  
Telefacsimile: (215) 540-5818



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MAY 21 2001 PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/831,047	
	Filing Date	May 3, 2001	
	First Named Inventor	Magdalena Blaszyk-Thurin	
	Group Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	7	Attorney Docket Number	WST93AUSA

ENCLOSURES <i>(check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	2 pp. Letter
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	2 pp. Form Pct/Do/EO/905
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	1 Diskette
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	1 copy of postcard
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	HOWSON AND HOWSON Mary E. Bak
Signature	<i>Mary E. Bak</i>
Date	July 25, 2001

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 7-25-01			
Typed or printed name	Lynn Brown		
Signature	<i>Lynn Brown</i>	Date	July 25, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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PATENT

Serial No. \_\_\_\_\_ Doc. No. W5793AUA Atty. Sec. MES/Lg Date 5-3-01  
Inventor Magdalena Bluszczuk-Tann Client W57/US  
Title Compositing and Methods for Treatment of Cancer

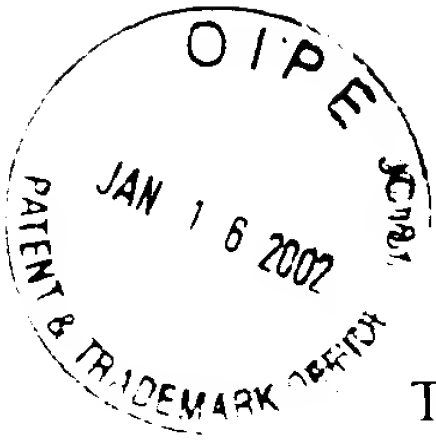
- The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:
- |   |  |
|---|--|
| <input checked="" type="checkbox"/> <u>26</u> pp. Spec. <u>775</u> Claims <u>123</u> Abstract | <input type="checkbox"/> pp. Amendment: OA dtd _____                                   |
| <input checked="" type="checkbox"/> <u>4</u> pp. Declaration/Power of Attorney                | <input type="checkbox"/> pp. Response: OA dtd _____                                    |
| <input type="checkbox"/> pp. Verified Statement (Small Entry)                                 | <input checked="" type="checkbox"/> <u>5</u> pp. <u>09/831047</u>                      |
| <input type="checkbox"/> shts. Informal Drawings  | <input type="checkbox"/> Issue Fee   |
| <input checked="" type="checkbox"/> <u>5</u> shts. Formal Drawings ( <u>encl-5</u> )          | <input type="checkbox"/> Notice of Appeal & Fee  |
| <input type="checkbox"/> pp. Assignment   | <input checked="" type="checkbox"/> Check # <u>116536</u> for \$ <u>796.00</u>         |
| <input checked="" type="checkbox"/> <u>2</u> pp. Preliminary Amendment A                      | <input checked="" type="checkbox"/> Check # <u>116537</u> for \$ <u>18.00</u>          |
| <input type="checkbox"/> pp. Extension of Time  | <input checked="" type="checkbox"/> <u>3</u> pp. <u>Encl B - attached - Appendix A</u> |
| <input type="checkbox"/> pp. Information Disclosure Statement                                 | <input checked="" type="checkbox"/> <u>36</u> pp. <u>Sequence List</u>                 |
| with PTO-1449 and _____ references  | <input checked="" type="checkbox"/> <u>1</u> <u>35"</u> <u>Disquette</u>               |

The Patent and Trademark Office is respectfully requested to place its stamp on this postal card and place it in the outgoing mail.

Express 101 W  
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JC17 Rec'd PCT/PTO 03 MAY 2001  
MES

Exhibit A



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PATENT TRADEMARK OFFICE

Attorney's Docket No. WST93AUSA

TRANSMITTAL LETTER TO THE U.S. ELECTED OFFICE  
(EO/US) - ENTRY INTO NATIONAL STAGE UNDER 35 USC 371

PCT/US99/26277

International Application No.

5 November 1999

International Filing Date

6 November 1998

Priority Date Claim

COMPOSITIONS AND METHODS FOR TREATMENT OF CANCER

Title of Invention

Magdalena Blaszczyk-Thurin and Thomas Kieber-Emmons

Applicant(s) for EO US

Box PCT  
Assistant Commissioner for Patents  
Washington, DC 20231  
Attn: EO/US

Sir:

Applicant herewith submits to the United States Elected Office  
(EO/US) the following items under 35 USC 371:

- (1) This express request to immediately begin national examination procedures (35 USC 371(f)).
- (2) A copy of the cover sheet for the published International Application along with a copy of the specification as filed: 106 pages, including 7 pages of claims, 5 sheets of drawings, 36 pages of Sequence Listing, and a copy of the 1 page International Search Report.
- (3) a copy of the 5 page Request form.
- (4) a first Preliminary Amendment for entry prior to calculation of the filing fees.
- (5) our check in the amount of \$796.00, covering the basic national fee as set forth in 37 CFR 1.492(a)(1) and based on the first Preliminary Amendment (39 total claims, 10 independent; and no multiple dependent).

Express Mail No. ET 033649102 US

- (6) A Second Preliminary Amendment.
- (7) Our check in the amount of \$18.00, covering the extra claim fees after entry of the second Preliminary Amendment (41 total claims; 10 independent; and no multiple dependent).
- (8) Two (2) (4 pages) executed Combined Declaration and Power of Attorney forms.
- (9) A 36 pages Sequence Listing (provided in specification).
- (10) A 3.5" computer-readable diskette.
- (11) A 1 page Statement under 37 CFR §1.821(f) and §1.825(a) and (b).

Copies of the following miscellaneous items are also enclosed:

- (12) Copy of the 4 page Demand for International Preliminary Examination.
- (13) Copy of the 4 page Written Opinion.
- (14) Copy of the 5 page International Preliminary Examination Report.

Please charge any additional fees which may be required to effect entry into the National Phase and credit any overpayment to Deposit Account No. 08-3040.

Please direct all communications concerning this application to the undersigned.

Respectfully submitted,

HOWSON AND HOWSON  
Attorneys for the Applicants

By Mary E. Bak  
Mary E. Bak  
Registration No. 31,215  
Spring House Corporate Center  
Box 457  
Spring House, PA 19477  
Telephone: (215) 540-9206  
Telefacsimile: (215) 540-5818



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NO. 09/831047 FIRST NAMED APPLICANT LASZCZYK-THURIN M ATTY. DOCKET NO. WST93AUSA  
INTERNATIONAL APPLICATION NO. PCT/US99/26277

HOWSON AND HOWSON  
ONE SPRING HOUSE CORPORATION CENTER  
BOX 457  
321 NORRISTOWN ROAD  
SPRING HOUSE, PA 19477

FILED DATE 05 NOV 99 PRIORITY DATE 06 NOV 98

DATE MAILED 15 JUN 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

ENTERED  
DUE 8-15-01

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.  | <input type="checkbox"/> Indication of Small Entity Status.                         |
| <input checked="" type="checkbox"/> Copy of the international application.  | <input type="checkbox"/> Translation of the international application into English. |
| <input checked="" type="checkbox"/> Oath or Declaration of inventor(s).   | <input type="checkbox"/> Translation of Article 19 amendments into English.         |
| <input type="checkbox"/> Copy of Article 19 amendments.   | <input type="checkbox"/> Other:   |
| <input type="checkbox"/> Priority Document.   |   |
| <input type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any.     |   |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. |   |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT DO/EO 920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- 6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
- 7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

**A copy of this notice MUST be returned with this response.**

- Enclosed: PCT DO/EO 917 ☐ Notice of Defective Translation  
PTO-875 ☒ PCT DO/EO 920

SHELBY VIGIL, PARALEG

Telephone 703-305-3653

FORM PCT DO/EO 905 (March 2001)

*Signature*  
Exhibit B

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Washington, D.C. 20503  
www.uspto.gov

APPLICATION NO.

09/831047

FIRST NAMED APPLICANT

BLASZCZYK-THURIN

ATTY. DOCKET NO.

WST93AUSA

INTERNATIONAL APPLICATION NO.

PCT/US99/26277

U.S. FILING DATE

05 NOV 99

PRIORITY DATE

06 NOV 98

DATE MAILED

15 JUN 2001

HOWSON AND HOWSON  
ONE SPRING HOUSE CORPORATION CENTER  
BOX 457  
321 NORRISTOWN ROAD  
SPRING HOUSE, PA 19477

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

**DUE 8-15-01**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- ☐ The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- ☒ This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- ☐ A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- ☐ A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ Other: \_\_\_\_\_

**APPLICANT MUST PROVIDE:**

- ☐ An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- ☒ An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☐ A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

**FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CALL:**

- (703) 308-4216, for Rules interpretation.
- (703) 308-4212, for CRF submission help.
- (703) 287-0200, for PatentIn software help.

SHELBY VIGIL, PARALEG  
Telephone: 703-305-3653

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**PATENT**

Serial No 09/831047 Doc No Wst93AUSA Att. Sec MEB/1b Date 7-25-01

Inventor Magdalena Blaszczyk-Thurin Client Wistar

Title Compositions and Methods for Treatment of Cancer

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon.

☐ pp. Spec. ☐ Claims ☐ Abstract ☐ pp. Amendment: OA dtd ☐  
☐ pp. Declaration/Power of Attorney ☐ pp. Response: OA dtd ☐  
☐ pp. Verified Statement (Small Entry) ☒ 1 pp. Transmittal Letter  
☐ shts. Informal Drawings ☐ Issue Fee  
☐ shts. Formal Drawings ☐ Notice of Appeal & Fee  
☐ pp. Assignment ☐ Check # ☐ for \$ ☐  
☐ pp. Preliminary Amendment ☒ 2 pp. Letter  
☐ pp. Extension of Time ☒ 2 pp. copy of Notice of missing  
☐ pp. Information Disclosure Statement ☒ Requirements Form PCT/DO/EO/905  
with PTO-1449 and ☐ references ☒ 1 Diskette

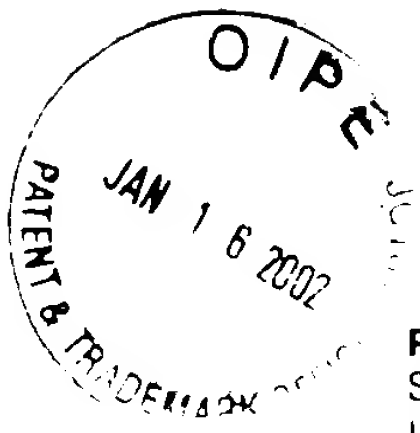
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Respectfully,  
HOWSON AND HOWSON  
MEB

518 Rec'd PCT/PTO 31 JUL 2001

Exhibit C

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14 AUG 2001

**PATENT**

Serial No. 09/831,047 Doc. No. WST 93AUSA Atty/Sec MEB/16 Date 8-14-01

Inventor Magdalena Blaszczyk-Thurin Client Wistar

Title Compositions and Methods For Treatment of Cancer

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

<input type="checkbox"/> pp. Spec.	<input type="checkbox"/> Claims	<input type="checkbox"/> Abstract	<input type="checkbox"/> pp. Amendment: OA dtd
<input type="checkbox"/> pp. Declaration/Power of Attorney			<input type="checkbox"/> pp. Response: OA dtd
<input type="checkbox"/> pp. Verified Statement (Small Entry)			<input checked="" type="checkbox"/> pp. Transmittal Letter
<input type="checkbox"/> shts. Informal Drawings			Issue Fee
<input type="checkbox"/> shts. Formal Drawings			Notice of Appeal & Fee
<input type="checkbox"/> pp. Assignment			Check # _____ for \$ _____
<input type="checkbox"/> pp. Preliminary Amendment			<input checked="" type="checkbox"/> 2 pp. Letter
<input type="checkbox"/> pp. Extension of Time			<input checked="" type="checkbox"/> 2 pp. Form PCT/Do/Eq/905
<input type="checkbox"/> pp. Information Disclosure Statement			<input checked="" type="checkbox"/> 1 Discrete
with PTO-1449 and _____ references			<input checked="" type="checkbox"/> 1 copy of postcard

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Respectfully,  
HOWSON AND HOWSON

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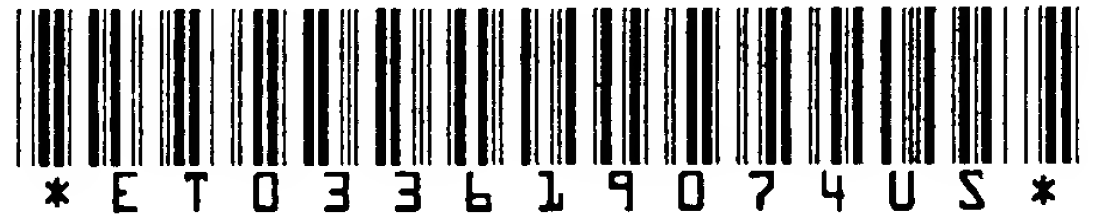
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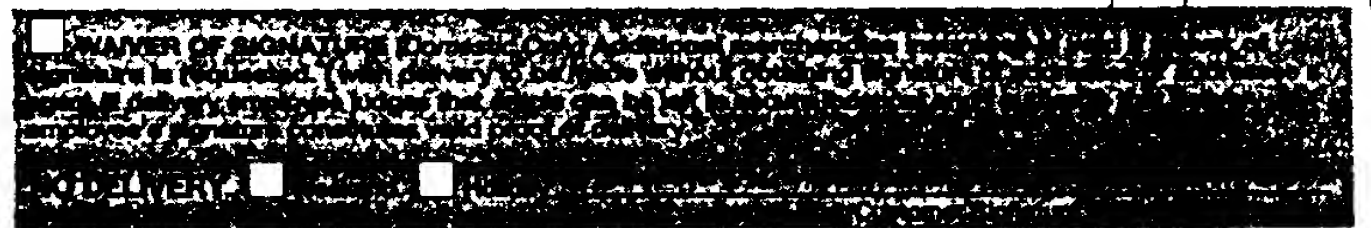
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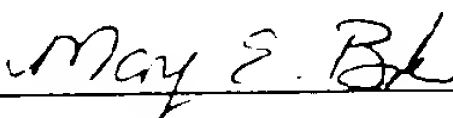
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/831,047	
	Filing Date	May 3, 2001	
	First Named Inventor	Magdalena Blaszczyk-Thuijn	
	Group Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	7	Attorney Docket Number	WST93AUSA

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	2 pp. Letter
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	2 pp. Form PCT/Do/Eo/905
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	1 Diskette
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	1 Copy of postcard
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	HOWSON AND HOWSON Mary E. Bak
Signature	
Date	August 14, 2001

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <input type="text"/>	
Typed or printed name	
Signature	Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

EXPRESS MAIL NO. ET 033619074 US



00270

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

STATE PATENT OFFICE  
JAN 16 2002  
PATENT & TRADEMARK OFFICE

)Group Art Unit:

)Examiner:

)

)

)

)

)

)

)

)August 14, 2001

# LETTER

In response to the Notification to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/ or Amino Acid Sequence Disclosures in the above-identified application, dated June 15, 2001, attached please find:

- (a) the requested diskette, with the Sequence Listing in computer readable format as required by 37 CFR 1.821 (e);
- (b) a copy of this Notice; and
- (c) a copy of the USPTO receipt-stamped postcard providing evidence that the diskette was originally filed with the application.

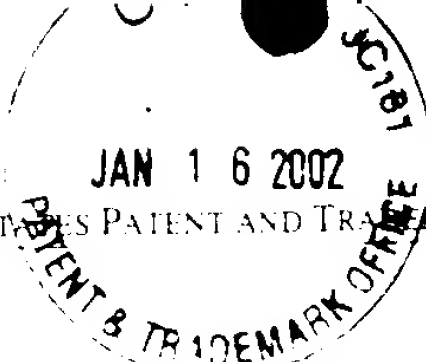
In a telephone conference with Shelby Vigil, Applicant was advised that only the diskette was missing from the materials filed with the application on May 3, 2001.

The substitute computer readable diskette contains the same content as the paper copy of the Sequence Listing filed with the application on May 3, 2001. No new matter is contained on this diskette. Please enter this computer readable diskette into the application file. If further information is needed, the examiner or paralegal is requested to notify the undersigned at 215 540 9206.

The Director is hereby authorized to charge any deficiency or credit any overpayment in any fee due with this paper to our deposit account number 08-3040.

Respectfully submitted,  
HOWSON AND HOWSON  
Attorneys for the Applicants

By Mary E Bak  
Mary E. Bak  
Registration No. 31,215  
Spring House Corporate Center  
Box 457  
Spring House, PA 19477  
Telephone: (215) 540-9200  
Telefacsimile: (215) 540-5818



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UNITED STATES PATENT AND TRADEMARK OFFICE

Commission for Patents, Box 100  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO. 09/831047 FIRST NAMED APPLICANT BLASZCZYK-THURIN M ATTY. DOCKET NO. WST93AUSA  
INTERNATIONAL APPLICATION NO. PCT/US99/26277

HOWSON AND HOWSON  
ONE SPRING HOUSE CORPORATION CENTER  
BOX 457  
321 NORRISTOWN ROAD  
SPRING HOUSE, PA 19477

FILED DATE 05 NOV 99 PRIORITY DATE 06 NOV 98

DATE MAILED 31 AUG 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495)

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.  | <input type="checkbox"/> Indication of Small Entity Status.                         |
| <input checked="" type="checkbox"/> Copy of the international application.  | <input type="checkbox"/> Translation of the international application into English. |
| <input checked="" type="checkbox"/> Oath or Declaration of inventor(s).   | <input type="checkbox"/> Translation of Article 19 amendments into English.         |
| <input type="checkbox"/> Copy of Article 19 amendments.   | <input type="checkbox"/> Other:   |
| <input type="checkbox"/> Priority Document.   |   |
| <input type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any.     |   |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. |   |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

☐ U.S. Basic National Fee. ☐ Copy of the international application

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date. The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO-917.
- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO 920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- 6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
- 7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

**A copy of this notice MUST be returned with this response.**

Enclosed: PCT/DO/EO-917 Notice of Defective Translation  
PTO-875 ☒ PCT/DO/EO 920

SHELBY VIGIL, PARALEG

FORM PCT/DO/EO 905 (March 2001)

Telephone 703-305-3653

TECH CENTER 1600 2900

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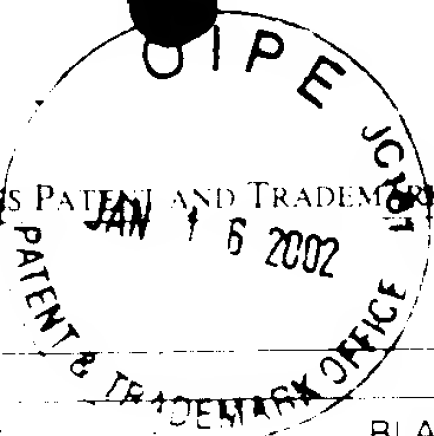
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FUE 10-31-01

Exhibit E





UNITED STATES PATENT AND TRADEMARK OFFICE



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United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

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MAY 21 2002

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U.S. APPLICATION NO. 09.831047 FIRST NAMED APPLICANT BLASZCZYK-THURIN ATTY. DOCKET NO. M WST93AUSA

HOWSON AND HOWSON  
ONE SPRING HOUSE CORPORATION CENTER  
BOX 457  
321 NORRISTOWN ROAD  
SPRING HOUSE, PA 19477

INTERNATIONAL APPLICATION NO.

PCT/US99/26277

U.S. FILING DATE

PRIORITY DATE

05 NOV 99

06 NOV 98

DATE MAILED

31 AUG 2002

# **NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- ☐ The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- ☐ This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- ☐ A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- ☒ A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ Other: \_\_\_\_\_

## **APPLICANT MUST PROVIDE:**

- ☐ An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- ☒ An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☐ A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CALL:

- (703) 308-4216, for Rules interpretation.
- (703) 308-4212, for CRF submission help.
- (703) 287-0200, for PatentIn software help.

SHELBY VIGIL, PARALEG

Telephone: 703-305-3653





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MAY 21 2002

TECH CENTER 1600 2900

WST93AUSA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of ) Group Art Unit:  
Magdalena Blaszczyk-Thurin *et al* )  
Appln. No.: 09/831047 ) Examiner:  
Filed: May 3, 2001 )  
For: COMPOSITIONS AND METHODS) July 25, 2001  
FOR TREATMENT OF CANCER )

Assistant Commissioner for Patents  
Washington, DC 20231  
Attn: Shelby Vigil, Paralegal

LETTER

Sir:

In response to the Notification to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures in the above-identified application, dated June 15, 2001, attached please find:

- (a) the requested diskette, with the Sequence Listing in computer readable format as required by 37 CFR 1.821(e);
- (b) a copy of this Notice; and
- (c) a copy of the USPTO receipt-stamped postcard providing evidence that the diskette was originally filed with the application.

CERTIFICATE UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, DC 20231 on July 25, 2001.

Signature

*Lynn Brown*

Typed Printed Name: LYNN BROWN

In a telephone conference with Shelby Vigil, Applicant was advised that only the diskette was missing from the materials filed with the application on May 3, 2001.

The substitute computer readable diskette contains the same content as the paper copy of the Sequence Listing filed with the application on May 3, 2001. No new matter is contained on this diskette. Please enter this computer readable diskette into the application file. If further information is needed, the examiner or paralegal is requested to notify the undersigned at 215 540 9206.

The Director is hereby authorized to charge any deficiency or credit any overpayment in any fee due with this paper to our deposit account number 08-3040.

Respectfully submitted,

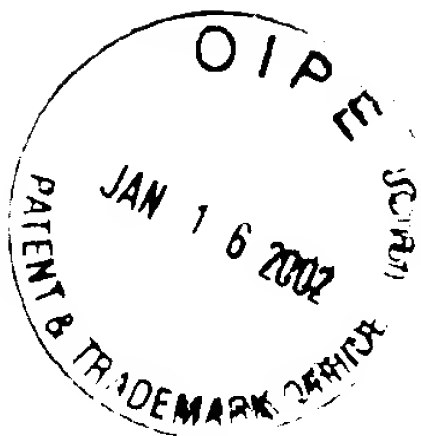
HOWSON AND HOWSON  
Attorneys for Applicant

By Mary E. Bak  
Mary E. Bak  
Registration No. 31,215  
Spring House Corporate Center  
Box 457  
Spring House, PA 19477  
(215) 540-9200

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MAY 21 2001



PATENT  
Serial No. 09/831,047 Doc. No. WST93AUSA Atty/Sec. TECH CENTER Date October 16, 2001  
Inventor BLASZCZYK-Thymetay Client WILSON INSTITUTE  
Title COMPOSITIONS and Methods for Treatment of Cancer  
The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:  
\_\_\_\_ pp. Spec. \_\_\_\_\_ Claims \_\_\_\_\_ Abstract \_\_\_\_\_ pp. Amendment: OA dtd \_\_\_\_\_  
\_\_\_\_ pp. Declaration/Power of Attorney \_\_\_\_\_ pp. Response: OA dtd \_\_\_\_\_  
\_\_\_\_ pp. Verified Statement (Small Entry) ☒ 2 pp. Transmittal Letter \_\_\_\_\_  
\_\_\_\_ shts. Informal Drawings \_\_\_\_\_ Issue Fee \_\_\_\_\_  
\_\_\_\_ shts. Formal Drawings \_\_\_\_\_ Notice of Appeal & Fee \_\_\_\_\_  
\_\_\_\_ pp. Assignment \_\_\_\_\_ Check # \_\_\_\_\_ for \$ \_\_\_\_\_  
\_\_\_\_ pp. Preliminary Amendment ☒ Sequence Listing on diskette  
\_\_\_\_ pp. Extension of Time ☒ 27 pp Sequence Listing  
\_\_\_\_ pp. Information Disclosure Statement ☒ copy of NOTIFICATION  
with PTO-1449 and \_\_\_\_\_ references

The Patent and Trademark Office is respectfully requested to place its stamp on this postal card and place it in the outgoing mail.

Respectfully,  
HOWSON AND HOWSON

ET 033633632 US



UNITED STATES POSTAL SERVICE®

POST OFFICE TO ADDRESSEE

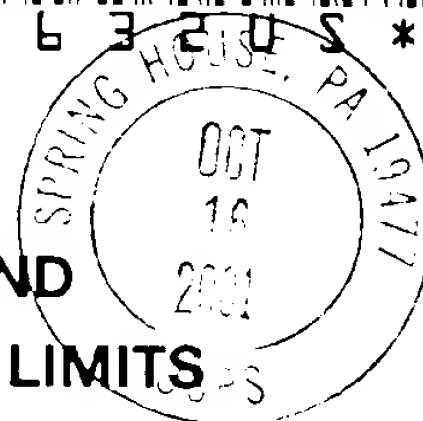


\* ET 033633632 US \*

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Day Year	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$
<input type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
lbs. ozs.	Int'l Alpha Country Code	COD Fee Insurance Fee
Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials	Total Postage & Fees \$

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INSURANCE COVERAGE LIMITS



☐ **WAIVER OF SIGNATURE** (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

NO DELIVERY ☐ Weekend ☐ Holiday

Customer Signature

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FROM: (PLEASE PRINT) PHONE ( ) - - Howson and Howson Spring House Corporate Center P.O. Box 457 Spring House, PA 19177	TO: (PLEASE PRINT) PHONE ( ) - - Assistant Commissioner for Patents Washington, DC 20231
ZIP + 4	

Exhibit F

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TECHNICAL CENTER 1600 2900  
WST93AUSA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the Application of ) Group Art Unit:  
Blaszczyk-Thurin et al ) Examiner:  
Appln. No. 09/831,047 )  
Filed: May 3, 2001 )  
For: COMPOSITIONS AND METHODS )  
FOR TREATMENT OF CANCER ) October 16, 2001

Assistant Commissioner for Patents  
Washington, DC 20231

AMENDMENT AND STATEMENT PURSUANT TO 37 CFR §1.821(f) and (g)

Pursuant to the attached notice received from the U.S. Patent and Trademark Office that the computer-readable diskette containing the "Sequence Listing" as submitted does not comply with the requirements of 37 CFR §1.822 and/or 1.832, Applicants herewith submit a substitute Sequence Listing in computer readable form and a substitute paper copy of the Sequence Listing as required by 37 CFR §1.821-1.825.

Please enter the substitute computer readable form and attached substitute paper copy of the Sequence Listing into this application.

EXPRESS MAIL NO. ET 033633632 US

As required by 37 CFR §1.821(f), this statement affirms that to the best of my knowledge and belief that the Sequence Listing information recorded in the substitute computer readable form is identical to the substitute paper copy of the Sequence Listing. As required by 37 CFR §1.821(g), this statement affirms that to the best of my knowledge and belief this substitute Sequence Listing presents no new matter to the application as filed.

Respectfully submitted,

HOWSON AND HOWSON  
Attorneys for the Applicants

By Mary E. Bak  
Mary E. Bak  
Registration No. 31,215  
Spring House Corporate Center  
Box 457  
Spring House, PA 19477  
(215) 540-9200



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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09 831,047	Magdalena Blaszczyk-Thurin	WS1934US

00270  
HOWSON AND HOWSON  
ONE SPRING HOUSE CORPORATION CENTER  
BOX 457  
321 NORRISTOWN ROAD  
SPRING HOUSE PA 19477

PCT US99 26277	
EXAMINER	PROSECUTOR
11/05/1999	



CONFIRMATION NO. 8220  
371 FORMALITIES LETTER  
\*00000000006853724\*

Date Mailed: 10/15/2001

### NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495)

- U.S. Basic National Fee
- Indication of Small Entity Status
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of six months.

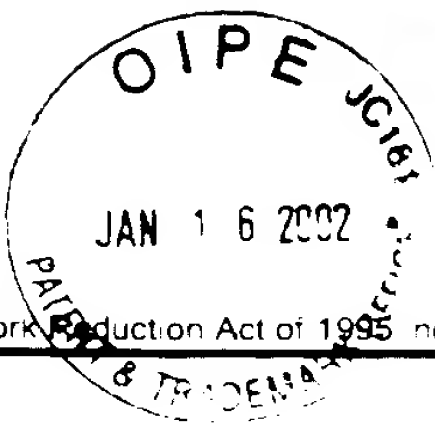
Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

SHEP BY J VIGIL

Telephone: (703) 305-3653

*Call for 20-  
6/4/02*

*Exhibit G*



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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

09/831,047

Filing Date

05/03/2001

First Named Inventor

Magdalena Blaszczyk-Tharin

Group Art Unit

Examiner Name

Total Number of Pages in This Submission

23

Attorney Docket Number

WST93AUSA

## ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☒ Response to Missing Parts/  
Incomplete Application
- ☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers  
(for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a  
Provisional Application
- ☐ Power of Attorney, Revocation  
Change of Correspondence  
Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication  
to Group
- ☐ Appeal Communication to Board  
of Appeals and Interferences
- ☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) (please  
identify below):

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Mary E. Bak, Esquire  
Howson and Howson

Signature

Date

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

10/24/2001

Typed or printed name

Debra N. Gerstemeier

Signature

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

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JAN 21 2002  
1600/290

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HOWSON & HOWSON  
SPRING HOUSE CORPORATE CENTER  
BOX 457  
SPRING HOUSE, PA 19477

To \_\_\_\_\_

Assistant Commissioner for Patents  
Washington, DC 20231

ATTN: Application Division